

**Minutes of the May 18, 2022  
Board Meeting of  
The NYS Industrial Board of Appeals**

**CALL TO ORDER**

The regularly scheduled meeting of the Industrial Board of Appeals was held on May 18, 2022, by video conference. The Board’s Chairperson, Molly Doherty, called the meeting to order at 10:32 a.m.

**ATTENDANCE**

Molly Doherty, Chairperson  
Michael A. Arcuri, Member  
Patricia Kakalec, Member  
Najah Farley, Member

Benjamin A. Shaw, Counsel  
Matthew D. Robinson-Loffler, Associate Counsel  
Jane M. Ipanaque, Executive Assistant

**MINUTES**

On motion by Ms. Kakalec, duly seconded by Mr. Arcuri, and unanimously carried, the minutes of the previous meeting held on March 30, 2022, were approved.

**REPORTS**

The monthly report reflecting activity for March and April 2022, was reviewed, and discussed.

	March		April		Year to Date	
	2022	2021	2022	2021	2022	2021
<b>New Proceedings Commenced:</b>	<b>7</b>	<b>12</b>	<b>9</b>	<b>27</b>	<b>38</b>	<b>189</b>
Section 101 - Review Petitions	6	12	7	25	34	165
Section 27-A - Public Employer Safety	0	0	1	1	1	14
Section 104 - Corporate Documents	1	0	1	1	3	10
Stay Applications	0	0	0	0	0	0
<b>Hearing Held:</b>	<b>9</b>	<b>9</b>	<b>6</b>	<b>13</b>	<b>26</b>	<b>92</b>
Video Hearings	9	9	6	13	26	92
<b>Hearings Scheduled/Not Held:</b>	<b>2</b>	<b>5</b>	<b>4</b>	<b>9</b>	<b>17</b>	<b>66</b>
<b>Administratively Closed:</b>	<b>11</b>	<b>2</b>	<b>3</b>	<b>32</b>	<b>23</b>	<b>86</b>
<b>Board Resolutions:</b>	<b>13</b>	<b>9</b>	<b>0</b>	<b>5</b>	<b>13</b>	<b>66</b>
<b>Cases Closed:</b>	<b>13</b>	<b>0</b>	<b>0</b>	<b>5</b>	<b>13</b>	<b>64</b>
Section 101	11	0	0	1	11	48
Section 27-A	0	0	0	3	0	8
Section 104	2	0	0	1	2	8
Section WB	0	0	0	0	0	0

<b>Interim Resolutions:</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2</b>
Stay Applications	0	0	0	0	0	0
Interim Decisions	0	0	0	0	0	2
IBA Rules	1	0	0	0	0	0
Other	0	0	0	0	0	0

**In quasi-judicial deliberation**

On motion by Ms. Kakalec, duly seconded by Mr. Arcuri, and unanimously carried, the meeting was moved into quasi-judicial deliberation at 10:39 a.m.

**CONSIDERATION OF RESOLUTIONS & DELIBERATION**

**Section 101:**

Docket No. Name

- PR 19-059 Linda G. Lucadamo, Scott M. Kazan, And Rattlesnake Jack’s Corp. T/A Rattlesnake Jack’s
- PR 19-085 Nicole Lambert and Lambert DDS & Co. PLLC
- PR 19-151 Leonard C. Froio
- PR 20-003 Djene African Hair Braiding Center and Djene Souko
- PR 20-052R Mian Nadim Saber a/k/a Nadeem Saber and Saima Saber
- PR 20-054 Cheryl Gentry and Glow Media & Marketing, Inc. T/A Glow Global Events
- PR 21-029 Raja Jameel Batarseh and City Limits Auto Center Inc.
- PR 21-034 Dominica Sarris aka Dominica Rojas and S&D Autoworks LLC T/A Tint World
- PR 21-123 Gabriela Peña-Noguera
- PR 22-004 Roy Reid & Corporate Courier New York, Inc.
- PR 22-005 Abdul M Mohammed and Smoke Buddys Smoke Shop LLC
- PR 22-006 Bledi Likaj
- PR 22-014 James Bell and Ma & Pa’s Snacks LLC

With the exception of Docket number PR 20-054, on motion by Ms. Farley, duly seconded by Mr. Arcuri, and unanimously carried, the remaining Resolutions of Decision under Section 101 were adopted. The decision for docket number PR 20-054 was removed for further review and deliberation.

**Section 27A:**

Docket No. Name

- PES 20-007 John Culkin v. NYC Transit Authority

On motion by Mr. Arcuri, duly seconded by Ms. Farley, and unanimously carried, the Resolution of Approval under Section 27A was adopted.

**Section 104:**

Docket No. Name

- CI 20-007 Adirondack/1,000 Islands Sports & Events Commission, Inc. (Adirondack Sports Council)

On motion by Mr. Arcuri, duly seconded by Ms. Kakalec, and unanimously carried, the Resolution of Approval under Section 104 was adopted.

**DISCUSSION**

The Board discussed the following topic:

- A. ART 20-002 Charles S. Cha et al v IBA et al decision
- B. Staffing

**Out of quasi-judicial deliberation**

On motion by Ms. Farley, duly seconded by Mr. Arcuri, and unanimously carried, the meeting moved out of quasi-judicial deliberation at 11:44 a.m.

**UPCOMING BOARD MEETING DATES AND LOCATIONS**

Wednesday, July 13, 2022, Board Meeting at 10:00 a.m., via Zoom

Wednesday, September 21, 2022, Board Meeting at 10:00 a.m., via Zoom

Wednesday, November 9, 2022, Board Meeting at 10:00 a.m., via Zoom

Wednesday, January 11, 2023, Board Meeting at 10:00 a.m., via Zoom

**ADJOURNMENT**

There being no further business, upon motion by Mr. Arcuri, duly seconded by Ms. Kakalec, and unanimously carried, the meeting was adjourned at 11:56 a.m.